

UNPUBLISHED

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 98-7720**

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WILLIAM F. ALLEN, JR.,

Plaintiff - Appellant,

versus

STATE OF WEST VIRGINIA; KENNETH L. GORBY, Magistrate; FRAY QUEEN, JR., Magistrate; JAMES TERRANGO, Magistrate; PERRI JO DECHRISTOPHER, Assistant Prosecuting Attorney; JOHN W. HAWKINS, Deputy Sheriff; A. F. MARANO, Deputy Sheriff; SHAWN MORGAN; PAUL FURBEE,

Defendants - Appellees.

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Appeal from the United States District Court for the Northern District of West Virginia, at Clarksburg. William M. Kidd, Senior District Judge. (CA-98-156)

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Submitted: February 11, 1999

Decided: February 25, 1999

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Before ERVIN, NIEMEYER, and TRAXLER, Circuit Judges.

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Dismissed by unpublished per curiam opinion.

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William F. Allen, Jr., Appellant Pro Se.

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Unpublished opinions are not binding precedent in this circuit. See Local Rule 36(c).

PER CURIAM:

William F. Allen, Jr., appeals the district court's order dismissing his 42 U.S.C. § 1983 (1994) complaint as frivolous under 28 U.S.C.A. § 1915(e)(2)(B) (West Supp. 1998). We have reviewed the record and the district court's opinion and find that this appeal is frivolous. Accordingly, we dismiss the appeal on the reasoning of the district court. See Allen v. West Virginia, No. CA-98-156 (N.D.W. Va. Nov. 4, 1998). We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

DISMISSED